

July 3, 2015

**NOTICE OF PUBLIC HEARING
To Consider Continuation of the
California Leafy Greens Research Program**

TO THE LEAFY GREENS HANDLER ADDRESSED:

The California Marketing Act (Act) and the Marketing Order for the Administration of the California Leafy Greens Research Program (Program) require that the California Department of Food and Agriculture (CDFA) conduct a public hearing every five years to consider the continuance of the Program. Since the most recent continuation process took place in 2010, CDFA is calling a public hearing to determine a) if the activities of the Program tend to fulfill the purposes of the Act (being Chapter 1 of Part 2, Division 21 of the California Food & Agricultural Code), and b) whether each of the four leafy greens commodities that currently make up the Program (iceberg lettuce, mixed leaf, spring mix and spinach) wishes to continue its participation.

The LGRB is a state marketing order and has been in existence since 2008. It is authorized to conduct research relating to the production, processing and distribution of leafy greens. Activities are funded by mandatory assessments on all California leafy greens distributors, processors or shippers that handle 250,000 pounds or more of raw leafy greens (as defined above).

The public hearing is scheduled as follows:

Date / Time	Location
Tuesday August 4, 2015 Beginning at 2:00 p.m.	US Department of Agriculture – ARS Research Station 1636 E. Alisal St. Salinas, CA 93905 (831) 755-2800

Over



HEARING PROCEDURE

At the hearing, CDFA staff will present testimony with respect to the procedure followed to develop the official list of leafy greens handlers used to mail this notice of public hearing. They will then proceed to receive testimony and evidence, both oral and documentary, with respect to all necessary and relevant matters, including the following:

1. The matters which are covered in Article 6, commencing with Section 58771, and Article 7, commencing with Section 58811, of the California Marketing Act, which relate to the public hearing process, including notification of affected parties and the process of the hearing itself.
2. Existing and developing trends in processes and discoveries related to the production, processing and distribution of leafy greens affecting the California leafy greens industry, some or all of which may be impacted by the activities of the California Leafy Greens Research Program;
3. Any conclusions about the application of the Program's provisions on research regarding production, processing and distribution within the California leafy greens industry.
4. Whether the Program is an effective tool to pursue the declared purposes of the marketing order and attain the declared objectives specified and limited in the Marketing Act.

HEARING PREPARATION

In preparing their testimony, witnesses should provide testimony that communicates why they support or oppose continuation of the Program and/or continuing or discontinuing the participation of any of the leafy green commodities that currently are part of the Program. Following are some examples of questions that hearing witnesses may wish to consider in preparing their testimony. Please notice that the emphasis of the testimony should be on the activities of the Program *during the last five years*.

- Has the California leafy greens industry benefited from research projects funded by the Program in the last five years? If yes, please explain how. If no, explain why not.
- What are the most significant accomplishments of the program over the last five years?
- What problems, if any, would the industry face in the absence of a mandatory industry-funded research program?
- Does the general public benefit from the activities of the California Leafy Greens Research Program? If yes, please explain how. If no, explain why not.

- Have assessment monies been spent wisely and within the authority granted to the program?
- Are there ways that the program could be improved?
- What are the problems and opportunities facing the California Leafy Greens industry in the next five years? How should the Program operate to address these problems and opportunities?

SUBSEQUENT STEPS

CDFA will consider the hearing transcript, written comments and all evidence submitted at the hearing to determine if the California Leafy Greens Research Program shall be authorized to continue, and if so, whether all the participating commodities wish to continue their involvement. If the hearing record documents that the activities of the program tend to fulfill its declared purposes, CDFA may authorize the program to operate for five more years without the need for an industry referendum. However, if CDFA finds from the hearing record that a substantial question exists as to whether the activities of the program tend to effectuate the declared purposes of the Marketing Act and/or that one or more commodities wishes to discontinue its participation, then CDFA will conduct a vote of the affected leafy greens industry members to determine the future of the program.

Written comments *received by close of business on Monday, August 3, 2015* will be incorporate to the hearing record. Please mail correspondence to: CDFA Marketing Branch, Attention Kathy Diaz-Cretu, 2800 Gateway Oaks Drive, Sacramento, CA 95833-4341, or email it to: kathy.diaz@cdfa.ca.gov.

All affected California leafy greens distributors, processors and shippers, and other interested persons, are invited to attend and participate in this hearing.

Persons with Disabilities – CDFA wishes to ensure that all members of the public have access to all public meetings. If you require a special accommodation, contact Beth Jensen at (916) 900-5018 or by email at beth.jensen@cdfa.ca.gov.

For questions regarding the Leafy Greens Research Program, please call Mary Zischke, CEO of the California Leafy Greens Research Board, at (831) 424-3782. If you have questions about the public hearing, contact Kathy Diaz-Cretu with CDFA's Marketing Branch at (916) 900-5018.

Sincerely,



Robert Maxie, Chief
Marketing Branch